IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO.21734 of 2004

Between:

1 Vittikolu Tejamma W/o.Appaiah
R/o.K.Marripadu Village, Meliputti Mandal, Srikakulam Dist.
2 Chapara Sreenu S/o.Gopalu
R/o.K.Marripadu Village, Meliputti Mandal, Srikakulam Dist.
3 Landa Venkatarao S/o.Barikayya
R/o.K.Marripadu Village, Meliputti Mandal,
Srikakulam Dist.
4 Savara Chinari W/o.late Nagaiah,Savara Murikiniti Badra
R/o.K.Marripadu Village, Meliputti Mandal,
Srikakulam Dist. **..... PETITIONERS**

AND

1 The Dist Collector
Srikakulam, Srikakulam Dist.
2 The Dist Panchayat Officer,
Srikakulam, Srikakulam Dist.
3 The Divisional Panchayat Officer,
Palakonda, Srikakulam Dist.
4 Mandal Development Officer,
Meliaputti, Srikakulam Dist.
5 The Executive Engineer,Panchayat Dept. Palakonda,
Srikakulam Dist.
6 The Grampanchayat, rep by its Sarpanch, Savara Varahalu
R/o.K.Marripadu Village, Jeliaputti Mandal,
Srikakulam Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate order or direction more particularly a Writ in the nature of Writ of Mandamus declaring he construction of Gram Panchayat building of K.Marripadu at jarribadra contrary to the sanction plan as illegal and arbitrary and direct the respondents 1 to 6 to construct the Gram Panchayat building at K.Marripadu village,

Srikakulam District.

Counsel for the Petitioners: MR.A.RAVI SHANKAR

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The first petitioner claims to be Upa-Sarpanch and petitioners 2 to 4 are ward members of K.Marripadu Gram Panchayat. It is stated that the Government in the year 2001-2002 has sanctioned Rs.1,50,000/- for construction of Gram Panchayat building and that the Gram Panchayat has passed a resolution for construction of Gram Panchayat building adjacent to Mandala Parishad Elementary School building. That the Mandal Parishad Engineer has also prepared the estimate of the said building and the construction work was entrusted to Village Abhivrudhi committee and the work was started thereon. While so, it is alleged that at the instigation of Ex-surpanch the Gram Panchayat Building is being constructed at Jarribadra village near B.C.Colony, in a private land. It is contended that without issuing any work order and the 6th respondent is proceeding with the construction of the Gram Panchayat Building at Jarribanda village from out of the funds allocated from the XI Finance Commission. It is further stated that the petitioners had made several representations to the officials to construct the building in question at K.Marripadu and the latest representation was made on 11-11-2004. Complaining that no action is taken on the said representations, the present writ petition is filed.

On 26-11-2004, the matter was adjourned to enable the Government Pleader to obtain instructions, however, learned Government Pleader is not in a position to obtain any instructions in the matter.

Heard the learned counsel for petitioner, learned Government Pleader for Panchayat Raj and Mr. Srinivasu for 6th respondent Gram Panchayat. All the counsel agreed for disposal of the writ petition at the stage of admission.

Since, the representation of the petitioner dated 11-11-2004 is stated to be

pending consideration with the first respondent/District Collector, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition directing the first respondent to consider the same and pass appropriate orders in accordance with law. Till such time, status quo existing as on today, shall be maintained.

Accordingly, the writ petition is disposed of at the stage of admission.

_____ N.V.RAMANA,J

1-12-2004

TVK

To

1 The Dist Collector
Srikakulam, Srikakulam Dist.
2 The Dist Panchayat Officer,
Srikakulam, Srikakulam Dist.
3 The Divisional Panchayat Officer,
Palakonda, Srikakulam Dist.
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R/o.K.Marripadu Village, Jeliaputti Mandal,
Srikakulam Dist.

7. .2CCs to G.P. for Revenue, A.P.High Court Buildings,(OUT).

8.. 2CD copies

*Form-NIC-OGS/WP{**JGK**}*

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 21734 of 2004

DATE: 1-12-2004